

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 445 be amended to read as follows:

- 1 Page 5, between lines 21 and 22, begin a new paragraph and
- 2 insert:
- 3 "SECTION 5. IC 22-6-5 IS ADDED TO THE INDIANA CODE
- 4 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2001]:
- 6 **Chapter 5. Arbitration of Employment Disputes**
- 7 **Sec. 1. (a) This chapter applies to the resolution of disputes**
- 8 **involving employment relationships when:**
- 9 **(1) binding arbitration of a dispute is required by a contract**
- 10 **or other agreement; and**
- 11 **(2) the arbitration occurs in Indiana or affects employers or**
- 12 **employees located in Indiana.**
- 13 **(b) This chapter does not:**
- 14 **(1) contravene any other agreement or law providing an**
- 15 **employee or employer greater or more favorable rights in**
- 16 **connection with the resolution of employment relationship**
- 17 **disputes; or**
- 18 **(2) apply to employment relationships governed by a**
- 19 **collective bargaining agreement.**
- 20 **Sec. 2. All parties involved in the dispute are entitled to be**
- 21 **represented by counsel at all times during the dispute resolution**
- 22 **process described in this chapter.**
- 23 **Sec. 3. (a) All parties involved in the dispute are entitled to**
- 24 **compel:**
- 25 **(1) the attendance of witnesses;**
- 26 **(2) the answers to written questions or interrogatories, not**
- 27 **to exceed fifty (50) in number, including subparts; and**

1 **(3) the production of books, records, documents, and other**
2 **evidence;**
3 **as is necessary for resolution of the dispute.**
4 **(b) The arbitrator may permit additional interrogatories or**
5 **require the production of other types of information, including the**
6 **taking of depositions, when a reasonable need for the information**
7 **is shown.**
8 **Sec. 4. The arbitrator shall make written findings of fact and**
9 **prepare a written decision and order stating in detail the reasons**
10 **for the arbitrator's decision in each issue involved in the dispute.**
11 **Sec. 5. This chapter applies to the arbitration of employment**
12 **relationship disputes when the resolution process begins after June**
13 **30, 2001."**
14 Renumber all SECTIONS consecutively.
 (Reference is to SB 445 as printed March 2, 2001.)

Representative KUZMAN